

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing  
(day/month/year) see from PCT/ISA/210 (page 2)

Applicant's or agent's file reference  
see form PCT/ISA/220

## FOR FURTHER ACTION

See paragraph 2 below

International application No.  
PCT/EP2004/053275

International filing date (day/month/year)  
12/6/2004

Priority date (day/month/year)  
1/29/2004

International Patent Classification (IPC) or both national classification and IPC  
G01S13/93

Applicant

ROBERT BOSCH GMBH

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/  
European Patent Office Rijswijk

Authorized officer  
Niemeijer, R

Facsimile No.

Telephone No.

Form PCT/ISA/237 (cover sheet) (January 2004)  
1032283

EV 839 710 10045

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/053275

Box No. I      Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing  
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format  
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/EP2004/053275

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	4,8-10	YES
	Claims	1-3,5-7	NO
Inventive step (IS)	Claims	8,9	YES
	Claims	4,10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

see supplementary page

IAP12 Rec'd PCT/PTO 26 JUL 2006

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY  
(SUPPLEMENTARY SHEET)

International File No.: PCT/EP2004/053275

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**Regarding Point V:**

1. Reference is made to the following documents:

- D1: US 2002/163478 A1 (PLEVA JOSEPH S ET AL), November 7, 2002 (2002-11-07)
- D2: US 5,008,678 A (HERMAN ET AL), April 16, 1991 (1991-04-16)
- D3: US 2002/175852 A1 (ZORATTI PAUL KIRK ET AL) November 28, 2002 (2002-11-28)

2. INDEPENDENT CLAIM 1

The present application does not meet the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel as defined in Article 33(2) PCT.

Document D1 discloses a radar system for motor vehicles (the references in parentheses refer to that document):

- i. having at least one radar sensor for monitoring the area surrounding the motor vehicle (D1: page 2, paragraph [0034]), in particular the traffic in an adjacent lane (D1: page 3, paragraph [0036]),
- ii. wherein the radar sensor has a phase-controlled antenna (D1: page 4, paragraph [0050] - [0060]) and a control device for setting a plurality of radar lobes having different geometries (D1: page 5, paragraph [0067]).

Thus the subject matter of Claim 1 is not novel (Article 33 (2) PCT).

3. DEPENDENT CLAIMS 2-7, 10

Claims 2 through 7, and 10 do not include any features which, in combination with the features of any claim to which they refer, meet the PCT requirements with regard to novelty and inventive step.